

United States District Court
for the
Southern District of New York
Related Case Statement

Full Caption of Later Filed Case:

Thomas J. Kinnally

Plaintiff vs. GigaCloud Technology Inc et al.	Case Number 1:23-cv-10684-ALC
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Defendant

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

Rock Villanueva

Plaintiff vs. GigaCloud Technology Inc et al.	Case Number 1:23-cv-10645-JMF
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Defendant

Status of Earlier Filed Case:



Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)



Open

(If so, set forth procedural status and summarize any court rulings.)

Villanueva v. GigaCloud was originally brought in the U.S. District Court for the Central District of California. It was designated as "related" to Kinnally v. GigaCloud pending in the same district court and both actions were assigned to Judge Sherilyn Peace Garnett. On November 27, 2023, Judge Garnett ordered the transfers of both actions to the U.S. District Court for the Southern District of New York and stayed all further deadlines pending appointment of a lead plaintiff pursuant to the Private Litigation Securities Reform Act of 1995. On December 6, 2023, the Villanueva case was opened in the U.S. District Court for the Southern District of New York and the case was assigned to Hon. Jesse M. Furman. On December 7, 2023, Judge Furman entered an order requiring the Plaintiff to advise the Court of the date and manner in which it published notice.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

Both Villanueva v. GigaCloud (Civ. Action 1:23-cv-10645-JMF, docket opened on December 6, 2023) and Kinnally v. GigaCloud (Civ. Action 1:23-cv-10684-ALC, docket opened on December 7, 2023) were initially brought in the United States District Court for the Central District of California and assigned to the same judge, Judge Sherilyn Peace Garnett. The cases were designated as "related" on the Central District of California dockets.

Both cases assert the same claims under Sections 11 and 15 of the Securities Act of 1933 and Section 10(b) of the Securities Exchange Act of 1934 against the same defendants.

Both cases also arise from the same or substantially identical transactions, incidents, or events requiring the determination of the same or substantially identical questions of law or fact -- indeed, allegations in the two complaints are near-identical.

Given the substantial overlap of the issues, parties, and claims in these actions, GigaCloud Technology Inc respectfully submits that the interests of justice and efficiency will be served if the actions are deemed related to each other.

Signature:

/s/ Jason C. HegtDate: 12/12/2023

Latham & Watkins LLP

Firm: